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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/584,497 06/01/00 KETTLER

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EXAMINER

WINNER, T

ART UNIT	PAPER NUMBER
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3618

DATE MAILED:

07/18/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/584,497

Applicant(s)
H. Kettler

Examiner
Tony Winner

Art Unit
3618



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/14/01
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration
- 5) ☒ Claim(s) 1-25 and 47-50 is/are allowed.
- 6) ☒ Claim(s) 26-46 and 51-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

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DETAILED ACTION

Election

1. Applicant's election with traverse of species II is acknowledged. The examiner of record is withdrawing the election requirement and therefore, claims 1-58 will be treated on the merits.

Claim Objections

2. Claim 53 is objected to because of the following informalities: The Examiner is suggesting the Applicant changing the words "a connection element" to -- a connecting element -
-. The specification should be updated to correspond to this changes. Appropriate correction is required.

Claim Rejections - 35 U.S.C. § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 27-28, 31-35, 51-56, and 58 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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With respect to claims 27 and 33, the recitation “ the slide is disposed within the support tube” is incorrect. According to Figure 8, the slider (11) is disposed out side of the support tube and the connection element (10) is disposed within the support tube.

With respect to claim 31, the recitation “ a rod like member” is indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claim 51, the recitation “a linkage element movably disposed” is unclear and confusing. Figures 8-17 do not show a movable linkage element.

With respect to claim 51, the recitation “the at least one stop of the lower bearing support cooperates with the at least one stop of the linkage element” is unclear and confusing. What is the applicant meant by “cooperates”.

With respect to claim 52, the examiner believes it is the “latch element” that is movable and not the “linkage element”.

With respect to claim 53, the “linkage element (6)” is not connected to the slide via “a connection element”.

With respect to claim 54, the “longitudinal slot” does not limit the movement of the “linkage element” but limits the movement of the “latch element”.

With respect to claim 55, the “linkage element” does not comprised a “locking element”.

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With respect to claim 58, the recitation "rod like element" is indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 26 and 46 are rejected under 35 U.S.C. 102(b) as being anticipated by Meyer (591,864).

Meyer discloses a vehicle steering head including a support tube (7), a latch element (11) is movable in a direction which is parallel to an axis of the tube, a linkage element is connected to the fork tube (17) and rotate therewith. The linkage is comprised of at least one stop surface (top view - stop surface is adjacent surface 18) which limits the rotation of the fork tube with respect to the support tube.

With respect to claim 46, Meyer is disclosed above meet all of the claim limitations (see col 1, lines 11-12)

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Claim Rejections - 35 U.S.C. § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 57 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jeunet et al. (6,082,754) in view of Meyer (591,864).

Jeunet disclose a steering head is comprised of a fork tube (157), a latch element (170), a slider (158) which is movable with respect to the support tube, wherein the slider is movable from one position to move the linkage (169) to engage with the latch element to prevent the fork tube from rotating and allows rotation of the support tube in at least two directions when the linkage is moved to another position. Jeunet lack the teaching of an enclosed support tube.

Meyer teaches an enclosed support tube for a steering blocking mechanism to prevent dirt and debris from entering into blocking mechanism.

Based on the teaching of Meyer, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the steering head of Jeunet to include the enclosed support tube of Meyer so as to prevent dirt and debris from entering into blocking mechanism.

With respect to claim 58, Jeunet as modified by Meyer disclose a rod-like (170 - slender bar) latch element.

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Allowable Subject Matter

6. Claims 27-45, and 51-56 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. The following is an examiner's statement of reasons for allowance:

The reference to Meyer (591,846) discloses a steering blocking mechanism for a bicycle. Claims 1-25 and 47-50 are allowed because the prior art neither shows nor teaches a latch element is projected from the fork tube and disposed with the support tube along with a linkage element also disposed with the support tube, wherein the linkage element is movable in a direction which is substantially parallel to an axis of the fork tube and comprises at least one stop surface for limiting a rotation of the fork tube.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kassai ('761), Kassai ('261), Huang ('729), Sommer ('131), and Mc Conley ('664) teach similar concept.

9. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Tony Winner whose telephone number is (703) 306-5957. The examiner can normally be reached on Monday-Friday from 9:30 am to 6:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Johnson, can be reached at (703) 308-0885. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-2571.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



TONY WINNER
PATENT EXAMINER

July 12, 2001



ANNE MARIE BOEHLER
Primary Examiner